



# United States Department of the Interior

## MINERALS MANAGEMENT SERVICE

Gulf of Mexico OCS Region  
1201 Elmwood Park Boulevard  
New Orleans, Louisiana 70123-2394

In Reply Refer To: MS 5430

AUG 12 1999

Dr. Andreas Mager, Jr.  
Habitat Conservation Division  
National Marine Fisheries Service  
9721 Executive Center Drive North  
St. Petersburg, Florida 33702

Dear Dr. Mager:

We are pleased to respond to your letter of July 1, 1999, regarding our Essential Fish Habitat (EFH) programmatic consultation request. The completion of this agreement will represent an excellent example of highly productive interagency collaboration to reach common goals.

We accept your EFH Conservation Recommendations including the six specified "Additional Recommendations" as listed in your letter to "avoid, minimize and mitigate adverse impacts of OCS development activities on EFH" with the following minor adjustments:

The first sentence of EFH Conservation Recommendation No. 9 on page three change to read: Where there is documented damage to EFH under the Live Bottom (Pinnacle Trend) or Topographic Features lease stipulations, MMS agrees that as a courtesy, we will coordinate with the NMFS Assistant Regional Administrator, Habitat Conservation Division, Southeast Region, for advice:

The first sentence of EFH Conservation Recommendation No. 10 on page three change to read: The MMS has agreed to provide NMFS with yearly summaries describing the number and type of permits issued in the Western and Central Planning Areas, and permits for activities located in the Live Bottom (Pinnacle Trend) or Topographic Features blocks for that year.

The one instance of pipeline activity identified requiring individual consultation is also accepted with the caveat that the National Marine Fisheries Service's response/input must be received within 10 days. Modifications to mitigations and Notices to Lessees (NTL's) reflecting the requirements of the conservation recommendations are in progress. We realize that by accepting the NMFS conservation recommendations, no further EFH consultation is required for actions covered by the programmatic consultation.

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NMFS/HCD/GAL:

We understand that this is the first EFH programmatic consultation in the Nation formulated between NMFS and a Federal Agency. We appreciate the efforts of the numerous levels of our staff working together with NMFS personnel. In particular, our long-standing collaboration with Mr. William Jackson in Galveston, Texas, was very productive.

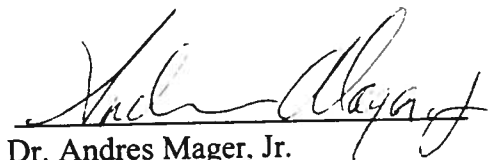
We hope to continue these sorts of collaborative efforts and positive interagency relationships. If you agree with these proposed modifications, please return your concurrence in the enclosed self-addressed, metered envelope. If you have any questions, please contact Mr. Gregory Boland at (504) 736-2740 or Dr. James J. Kendall, Chief, Environmental Sciences Section, at (504) 736-2789.

Sincerely,



Chris C. Oynes  
Regional Director

Concur:



Dr. Andres Mager, Jr.  
Assistant Regional Administrator  
Habitat Conservation Division

8/23/99  
Date